

Notice of Rulemaking Hearing
The Tennessee Department of Human Services
Division of Family Assistance

There will be a hearing before the Tennessee Department of Human Services to consider the promulgation of amendments to rules pursuant to Tennessee Code Annotated §§ 4-5-201 et seq. and 71-1-105(12). The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-204 and will take place in the 2nd Floor BoardRoom, Citizens Plaza Building, 400 Deaderick Street, Nashville, Tennessee at 1:30 p.m. CST on October 17, 2006.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Human Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Department of Human Services to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Human Services' ADA Coordinator, Anneita Dunbar, at Citizens Plaza Building, 400 Deaderick Street, 3rd Floor, Nashville, Tennessee 37248, telephone number (615) 313-5563 (TTY)-(800) 270-1349.

For a copy of the proposed rule contact: Phyllis Simpson, Assistant General Counsel, Department of Human Services, Citizens Plaza Building, 400 Deaderick Street, 15th Floor, Nashville, TN 37248, telephone number (615) 313-4731.

Substance of Proposed Rules
of
The Tennessee Department of Human Services
Family Assistance Division

Chapter 1240-1-2
Family Assistance Unit
Food Stamp Program

Amendments

Rule 1240-1-2-.02 Household Concept – Food Stamps Only, is amended by deleting Part 5 under Subparagraph (a) Paragraph (1), and by substituting the following language, so that, as amended, Part 5 Paragraph (1), Subparagraph (a) shall read as follows:

5. An individual who is sixty (60) years of age or older (and the spouse of such individual) who lives with others and who is unable to purchase and prepare meals separately because he/she suffers from a disability considered permanent under the Social Security Act or some other non-disease-related severe permanent disability. In order for this individual and spouse to be eligible for separate household status, the combined gross income of all others with whom the individual resides (excluding the individual and his/her spouse's income) cannot exceed one hundred sixty-five percent (165%) of the poverty level as shown in the Table below:

| No. of Persons in Household | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|--------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 165% of Poverty | \$1348 | \$1815 | \$2283 | \$2750 | \$3218 | \$3685 | \$4153 | \$4620 | \$5088 | \$5556 |

For each additional member add \$468

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.1, 273.1(b)(2), 273.9, and 273.10.

Chapter 1240-1-4
Financial Eligibility Requirements

Amendments

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table I under Paragraph (1) Subparagraph (a) Part 2 in its entirety, and by inserting a new Table I, so that, as amended, Table I shall read as follows:

TABLE I

| No. of Persons in Household | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|-----------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Gross Income Standard | \$1062 | \$1430 | \$1799 | \$2167 | \$2535 | \$2904 | \$3272 | \$3640 | \$4009 | \$4378 |

For each additional member add \$369

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table II under Paragraph (1) Subparagraph (b) Part 2 in its entirety, and by inserting a new Table II, so that, as amended, Table II shall read as follows:

TABLE II

| No. of Persons in Household | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|-----------------------------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Maximum Net Income | \$817 | \$1100 | \$1384 | \$1667 | \$1950 | \$2234 | \$2517 | \$2800 | \$3084 | \$3368 |

For each additional member add \$284

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table III under Paragraph (1) Subparagraph (c) Part 2 in its entirety, and by inserting a new Table III, so that, as amended, Table III shall read as follows:

TABLE III

| No. of Persons in Household | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|-----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| Maximum Coupon Allotment | \$155 | \$284 | \$408 | \$518 | \$615 | \$738 | \$816 | \$932 | \$1049 | \$1166 |

For each additional member add \$117

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table IV-A and Table IV-B under Paragraph (1) Subparagraph (d) in their entirety, and by inserting a new Table IV-A and Table IV-B, so that, as amended, Table IV-A and Table IV-B shall read as follows:

TABLE IV-A
Standard Deduction

| Household Size | 1 | 2 | 3 | 4 | 5 | 6+ |
|--------------------|-------|-------|-------|-------|-------|-------|
| Standard Deduction | \$134 | \$134 | \$134 | \$139 | \$162 | \$186 |

TABLE IV-B
Food Stamp Deductions

| | |
|---|------------|
| Maximum Dependent Care for Child Less than 2 Years Of Age | \$200 |
| Maximum Dependent Care for Child Over Age 2 or Adult | \$175 |
| Maximum Shelter Deduction for Non-Elderly/Disabled Households | \$417 |
| Maximum Shelter Deduction for Elderly/Disabled Households | No Maximum |

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table V and Table V-A under Paragraph (1) Subparagraph (e) in their entirety, and by inserting a new Table V-A and Table V-B, so that, as amended, Table V-A and Table V-B shall read as follows:

TABLE V-A
Food Stamp Standard Utility Allowance

| Household Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 or More |
|----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------|
| Standard Utility Allowance | \$272 | \$282 | \$292 | \$302 | \$312 | \$322 | \$332 | \$342 | \$352 | \$362 |

TABLE V-B
Food Stamp Basic Utility Allowance

| Household Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 or More |
|-------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------|
| Basic Utility Allowance | \$126 | \$126 | \$126 | \$126 | \$126 | \$126 | \$126 | \$126 | \$126 | \$126 |

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table VI under Paragraph (1) Subparagraph (f) in its entirety, and by inserting a new Table VI, so that, as amended, Table VI shall read as follows:

TABLE VI
Food Stamp Standard Telephone Allowance

| Household Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 or More |
|-------------------------|------|------|------|------|------|------|------|------|------|------------|
| Basic Utility Allowance | \$25 | \$25 | \$25 | \$25 | \$25 | \$25 | \$25 | \$25 | \$25 | \$25 |

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.9 and 273.10.


Legal Contact and/or party who will approve final copy:

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Citizens Plaza Building, 15th Floor
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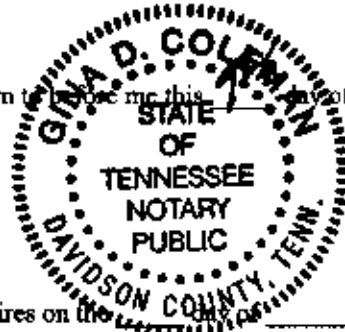
Contact for disk acquisition:

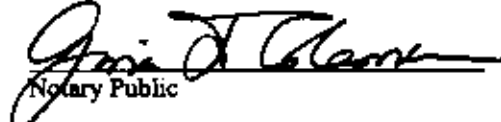
Alan Buescher
Legal Assistant
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I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Department of Human Services.



Phyllis A. Simpson
Assistant General Counsel
Tennessee Department of Human Services

Subscribed and sworn to before me this _____ day of August, 2006.




Notary Public

My commission expires on the _____ day of _____, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the 10 day of Aug., 2006.
~~My Commission Expires JULY 25, 2009~~


Riley C. Darnell
Secretary of State

By: 